



# Match-E-Be-Nash-She-Wish Band of Pottawatomis Indians **GUN LAKE TRIBE**

David K. Sprague  
Tribal Chairman

Federally Acknowledged  
August 23, 1999

Service Area: Allegan, Barry  
Kalamazoo, Kent, and  
Ottawa Counties

## **TESTIMONY OF DAVID K. (D.K.) SPRAGUE CHAIRMAN, MATCH-E-BE-NASH-SHE-WISH BAND OF POTTAWATOMI INDIANS (GUN LAKE TRIBE)**

### **BEFORE THE MICHIGAN HOUSE OF REPRESENTATIVES REGULATORY REFORM COMMITTEE JULY 1, 2010**

#### **HEARING ON HCR 54 TO APPROVE A COMPACT AMENDMENT PROPOSED BY GOVERNOR GRANHOLM AND THE LITTLE RIVER BAND FOR AN OFF-RESERVATION CASINO NEAR MUSKEGON, MICHIGAN**

Good morning Chairman Johnson and members of the Committee. My name is D.K. Sprague. For the last 18 years I have served as the Tribal Chairman of the Match-E-Be-Nash-She-Wish Band of Pottawatomis Indians, also known as the Gun Lake Tribe.

I am strongly opposed to House Concurrent Resolution 54 to approve the "Third Amendment" to Little River's compact for an off-reservation casino in Fruitport Township near Muskegon.

The Muskegon site is located over 90 miles away from Little River's highly successful casino in Manistee. The Gun Lake Casino site and our Tribe's governmental offices in Dorr are actually closer to the Muskegon site. Both are within 50 miles. In addition, the Muskegon land sits just a few miles beyond Gun Lake's market exclusivity area as defined in our gaming compact.

The Gun Lake Tribe submitted an application for trust land to conduct gaming in 2001. After years of review the federal government decided to grant trust status in 2005. Opponents filed a lawsuit to delay our casino that lasted over four additional years. My Tribe finally got trust land and a valid tribal-state gaming compact in 2009. To this day, however, Gun Lake has yet to benefit from tribal gaming.

The Little River Band did not have it quite so hard. Little River was recognized by an act of Congress in 1994 that provided trust lands eligible for Indian gaming in Manistee. The Little River Casino opened in 1998 and now includes a large hotel and convention center, a concert venue with an RV park and many other amenities. We are happy that Little River has become successful with its on-reservation gaming.

The Little River recognition act of 1994 has significant relevance to the issue under review by the Committee. After a thorough examination of Little River's history and legitimacy as a tribe, the U.S. Congress designated reservation lands in Manistee and Mason counties. Congress designated Little River's service area as Manistee, Mason, Wexford, and Lake counties. The act does not mention

Muskegon County. Simply put, Congress did not intend for Little River to have reservation lands, or trust land, in Muskegon County.

This speaks directly to whether or not Little River will ever acquire trust land that is eligible for gaming in Muskegon County. To date an application has not been submitted to the Department of the Interior. The policy at Interior is to deny gaming compacts and compact amendments if a tribe does not have trust land eligible for gaming. This is precisely the reason the "Second Amendment" to Little River's compact was pulled from consideration at Interior within the last week.

The Second Amendment is tied to the Third Amendment, which is currently under your review. It seeks to erase Section 9 of the compact. This is an explicit agreement that tribes will not pursue off-reservation gaming unless all Michigan tribes agree. This is a reasonable policy that has been in place since 1993. If Section 9 is removed from the compact it will invite numerous off-reservation proposals to follow. That would not be in the best interest of Indian gaming or the people of Michigan.

Although the Michigan Legislature was not given an opportunity to consider the Second Amendment, I believe it should have. The compacts were approved by the Legislature as a means to establish a statewide policy on Indian gaming. Section 9 is a bedrock principle that should not be removed without the consent of the Legislature and all Michigan tribes.

In closing, the compact amendment before the Committee today is premature because Little River does not have land in trust in Muskegon County, and it may never acquire such lands. This project would set a dangerous policy on Indian gaming because it would encourage many more off-reservation casino proposals. Furthermore, this type of proposal is certainly a deviation from the struggle that the Gun Lake Tribe faced for years just to establish a casino on our reservation. I specifically remember a conversation with Governor Granholm when she said, "D.K., get your land in trust and we will talk." She was absolutely correct because the policy at the Department of the Interior is to not consider a compact unless a tribe has land in trust.

For the foregoing reasons I am adamantly opposed to HCR 54 and I urge you to reject it. Thank you.